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Excerpts From Speech by Helms to Society of Newspaper Editors

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Following are excerpts from an address by Richard Helms, Director of Central Intelligence, before the American Society of Newspaper Editors:

I welcome this opportunity to speak to you today about the place of an intelligence service in a democratic government.

In doing so, I recognize that there is a paradox which I hope can be dispelled:

On the one hand, I can assure you that the quality of foreign intelligence available to the United States Government in 1971 is better than it has ever been before.

On the other hand, at a time when it seems to me to be self-evident that our Government must be kept fully informed on foreign developments, there is a persistent and growing body of criticism which questions the need and the propriety for a democratic society to have a Central Intelligence Agency.

I am referring to the assertions that the Central Intelligence Agency is an "invisible government," a law unto itself, engaged in provocative covert activities repugnant to a democratic society and subject to no controls.

This is an outgrowth, I suppose, of an inherent American distaste for the peacetime gathering of intelligence. Our mission, in the eyes of many thoughtful Americans, may appear to be in conflict with some of the traditions and ideals of our free society.

May I emphasize at this point that the statute [National Security Act of 1947] specifically forbids the Central Intelligence Agency to have any police, subpoena or law-enforcement powers, or any domestic security functions. I can assure you that except for the normal responsibilities for protecting the physical security of our own personnel, our facilities, and our classified information, we do not have any such powers and functions; we have never sought any; we do not exercise any. In short, we do not target on American citizens.

In matters directly affecting the security of the United States, the President and his National Security Council want what we call "national" intelligence—evaluations which reflect the considered and agreed judgment

of all of the intelligence components of the United States Government. The production and dissemination of this national intelligence is the responsibility and the primary function of the Central Intelligence Agency.

We not only have no stake in policy debates, but we can not and must not take sides. The role of intelligence in policy formulation is limited to providing facts—the agreed facts—and the whole known range of facts—relevant to the problem under consideration. Our role extends to the estimate function—the projection of likely developments from the facts—but not to advocacy.

Ironically, our efforts to obtain foreign intelligence in this country have generated some of the more virulent criticism of the Central Intelligence Agency.

It is a fact that we have, as I said, no domestic security role, but if there is a chance that a private American citizen traveling abroad has acquired foreign information that can be useful to the American policy-maker, we are certainly going to try to interview him.

If there is a competent young graduate student who is interested in working for the United States Government, we may well try to hire him.

The trouble is that to those who insist on seeing us as a pernicious and pervasive secret government, our words "interview" and "hire" translate into suborn, subvert and seduce, or something worse.

We use no compulsion. If a possible source of information does not want to talk to us, we go away quietly. If some student groups object to our recruiting on campus, we fall back to the nearest Federal office building.

Similarly, we welcome the opportunity to place research contracts with the universities, but again, these are strictly voluntary.

And so I come to the fundamental question of reconciling the security needs of an intelligence service with the basic principles of our democratic society. At the root of the problem is secrecy, because it is axiomatic that whatever type of service—whatever type of government it serves—must wrap itself in as much secrecy

as possible in order to operate effectively.

If we disclose how much we know, the opposition is handed on a platter highly damaging indications of how and where we obtained the information, in what way his security is vulnerable, and who may have helped us. He can seal off the breach in his defenses, roll up the agents, and shut off the flow of information.

I cannot give you an easy answer to the objections raised by those who consider intelligence work incompatible with democratic principles. The nation must to a degree take it on faith that we too are honorable men devoted to her service. I can assure you that we are, but I am precluded from demonstrating it to the public.

I can assure you that what I have asked you to take on faith, the elected officials of the United States Government watch over extensively, intensively and continuously.

Starting with the executive branch, the Central Intelligence Agency operates under the constant supervision and direction of the National Security Council. No significant foreign program of any kind is undertaken without the prior approval of an N.S.C. subcommittee which includes representatives of the President, the Secretary of State and the Secretary of Defense.

In addition, we report periodically and in detail on the whole range of foreign intelligence activities to the President's Foreign Intelligence Advisory Board, a group of men who have distinguished themselves in Government, industry, education and the professions.

Our budget is gone over line for line by the Office of Management and Budget and by the appropriate committees of the Congress as well.

There are elements of the Appropriations and Armed Services Committees in both the Senate and the House which—like the President's board—are told more about our activities and our operations than is known to most of the personnel in our highly compartmented agency. But how, in the end, we are to be supervised is for Congress to decide.

In short, the Central Intelligence Agency is not and cannot be its own master.

The same objectivity which makes us useful to our Government and our country leaves us uncomfortably aware of our ambiguous place in it. We may chafe under the criticism we do not answer, but we understand as well as anyone the difficulties and the contradictions of conducting foreign intelligence operations on behalf of a free society.

We are, after all, a part of this democracy, and we believe in it. We would not want to see our work distort its values and its principles. We propose to adapt intelligence to American society, not vice versa.

We believe, and I say this solemnly, that our work is necessary to permit this country to grow on in a fear-some world and to find its way into a better and more peaceful one.

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The Federal Diary

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Hearings began yesterday on a Senate-passed bill that would bar arm-twisting in fund and bond drives, and pressure on employees to take part in political or social activities not related to their jobs.

Members of Rep. Mames M. Hanley's (D-N.Y.) Employee Benefits subcommittee generally endorsed the anti-arm-twisting plans by Sen. Sam J. Ervin (D-N.C.) and Rep. Charles Wilson (D-Calif.). Rep. Larry Hogan (R-Md.) and others said they would make sure that agencies involved in national security matters—CIA, FBI and the National Security Agency—were granted exemptions from the bill.

Hearings are set to resume Thursday, when officials of the American Civil Liberties Union testify. The Senate has passed the Ervin bill several times but it has always bogged down in the House. Insiders, however, think the Hanley group will push it—or something like it—through despite Administration opposition.

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The proposed legislation would permit the court to make discretionary allowances not to exceed \$150 for a receiver and \$250 for a trustee in those cases where the distribution is too small to provide an adequate basis for computing a reasonable allowance for the necessary services rendered.

Under this proposed legislation, the maximum allowances which are at present permitted for a trustee will be applicable to receivers. This will represent an increase in the percentage rates for receivers and also have the effect of increasing, for receivers, the range of the application of the higher rates to the medium and larger distributions.

The maximum allowances for trustees have been increased, with this proposal, by increasing the range in which the rates for a trustee are applicable.

The proposed increase in the custodial rate would make it unnecessary for the referee to enlarge the duties of the receiver in order to fairly compensate him for his services.

The proposed increases would apply only in bankruptcy cases initiated subsequent to the enactment of the proposed legislation.

The above bill was approved by the Judicial Conference of the United States at its October 1970 session.

By Mr. BURDICK:

S. 1396. A bill to amend section 35 of the Bankruptcy Act (11 U.S.C. 63) and sections 631 and 634 of title 28, United States Code, to permit full-time referees in bankruptcy to perform the duties of a U.S. magistrate. Referred to the Committee on the Judiciary.

Mr. BURDICK. Mr. President, I introduce for appropriate reference, S. 1396, to amend the Bankruptcy Act to permit full-time referees in bankruptcy to perform the duties of a U.S. magistrate.

The Federal Magistrates Act, approved October 17, 1963, 32 Stat. 1107, provides that with the approval of the Judicial Conference of the United States "a part-time referee in bankruptcy—may be appointed to serve as a part-time magistrate," and authorizes the Conference to "fix the aggregate amount of compensation to be received for performing the duties of part-time magistrate and part-time referee in bankruptcy" 28 U.S.C. 634. The act, however, does not authorize a full-time referee in bankruptcy to perform the duties of a part-time U.S. magistrate. In addition, section 35 of the Bankruptcy Act, pertaining to qualifications for referees in bankruptcy, provides in part that an individual shall not be eligible for appointment as a referee unless he is "not holding any office of profit or emolument under the laws of the United States or of any State or subdivision thereof other than conciliation commissioner or special master under this title." Exceptions to this provision are made only in the case of a part-time referee in bankruptcy.

In the design and organization of the new system of U.S. magistrates two difficulties have arisen which would be ameliorated in part if a full-time referee in bankruptcy were authorized to perform the duties of a U.S. magistrate.

First, there is the problem of a "back-up" for a magistrate who is ill, or temporarily away from his station on business or vacation. Some courts have requested authority to appoint a second part-time magistrate at some locations at a nominal salary to arraign defendants and set bail in the absence of the regular magistrate—a function which a full-time referee in bankruptcy might well perform. Second, certain language in the Magistrates Act and in the Bankruptcy Act seems to prohibit a court from combining a position of part-time referee in bankruptcy with a position of part-time magistrate, in order that it may have one full-time officer rather than two part-time officers. It is the view of the Judicial Conference of the United States and its Committees on Bankruptcy Administration and the Implementation of the Federal Magistrates Act that it would be in the interest of good judicial administration to permit full-time referees in bankruptcy to perform magistrate duties and to authorize a full-time combination position of referee in bankruptcy.

By Mr. CHURCH:

S. 1397. A bill to amend the U.S. Information and Educational Exchange Act of 1948 to impose restrictions on information activities outside the United States of Government agencies. Referred to the Committee on Foreign Relations.

PROHIBITING THE UNITED STATES FROM ENGAGING IN PROPAGANDA ACTIVITIES FOR FOREIGN GOVERNMENTS

Mr. CHURCH. Mr. President, last year the Committee on Foreign Relations held a series of hearings on the operation of U.S. advisory and assistance programs in Vietnam. The hearings revealed a great deal concerning the nature and extent of our involvement in the internal affairs of that country. Today, I wish to discuss briefly one of the most insidious of those programs and to introduce legislation to correct the underlying policy. I refer to the propaganda services which our Government renders on behalf of Vietnam.

Traditionally, American citizens have viewed with great suspicion anything that suggests the creation of an official Government information agency. And rightfully so. They realize that Government information programs cannot be divorced from political propaganda designed to serve partisan or personal purposes. Germany's experience under Goebbels lingers in the American memory.

Yet in Vietnam the U.S. Information Agency, which was created to promote better understanding of our country abroad, is now engaged in a massive campaign, using every tool of the communication arts, to sell the Thieu Government to the people of Vietnam. Through television and radio, and newspapers, magazines, and leaflets by the tens of millions, the USIA is teamed up with military psychological warfare specialists to induct on the people of Vietnam the kind of official propaganda system that we refuse to allow in our own country. It is the ultimate corrup-

tion in a war which has for years now eroded the moral sensibilities of our Nation.

Our Vietnam policymakers under both Presidents Johnson and Nixon have assured the American people that all we seek for South Vietnam is the right of "self-determination." But is "self-determination" really possible as long as the United States spends millions of dollars in promoting the interests of the government in power in Vietnam, doing everything possible to convince the Vietnamese people that the Thieu government is their friend and protector? When the Vietcong and North Vietnamese view the magnitude of the U.S. propaganda and aid effort in Vietnam, there is little wonder that they are skeptical about repeated promises of free elections. I think my colleagues are generally aware of the importance of the mass media in election campaigns. Does anyone believe that opposition candidates, assuming that genuine opposition candidates are allowed, will be given equal time and treatment on Vietnamese radio and television or in the other U.S.-financed information programs, when the basic purpose of all these programs has been to win the Vietnamese people over to the Thieu government's side.

It is all very well to call for free and open elections; it is an appealing slogan. But when it comes to specifics as to who controls the campaign machinery, the mass media, and the election process, "free and open" is likely to look very much like "government controlled." Lack of credibility as to U.S. intentions has always been a major problem in communicating with the other side. The contrast between what is said by our Government concerning free elections and what we, in fact, do in promoting the interests of President Thieu demonstrates that the problem is far from being resolved. The United States should make it clear to all concerned that it will take a strictly neutral position in the coming election in Vietnam. To do so it must gear its activities to aiding the people, not the government. One of the most obvious ways to demonstrate neutrality is to cease assisting the Thieu government on propaganda programs.

Mr. President, since I was first elected to the Senate, I have told the people of Idaho that I would not support legislation which would authorize the Federal Treasury to pay the campaign expenses of nationally elected officials. I do not feel that the taxpayers of this Nation should support my campaigns or the campaigns of others for public office. I feel even more strongly that our Nation's taxpayers should not provide support to foreign political leaders in their attempts to gain favor with their own people.

I ask unanimous consent to have printed in the Record following my remarks the transcript of the Foreign Relations Committee hearing of March 19, 1970, concerning USIA operations in Vietnam. Nowhere in that act is there authority, direct or indirect, for any government agency to engage in a propaganda campaign to increase understanding between a foreign government and the people it governs. The simple fact is